REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended claims 1, 10, and 15; claims 13, 14, and 19-21 have been canceled. Applicant respectfully submits no new matter has been added. Accordingly, claims 1-10 and 15-18 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Rejections – 35 U.S.C. § 102(e)

Claims 1-7, 9, 10 and 15-18 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Lin (US Patent Publication 2002/0196770). The Applicant respectfully traverses the Examiner's rejections and submits the following remarks for the Examiner's favorable reconsideration. The Applicant has further amended independent claim 1 to more clearly and distinctly claim the subject matter which the Applicant considers as his invention.

The Applicant has amended claim 1 which now recites the steps of designating a roaming number based on a preferred routing using the positional information and determined network node of the first type to which the connectivity plane message is routed and sending the roaming number by the network node of the second type. Support for these amendments is found on page 12, lines 23-36 of the Applicant's specification.

The Applicant's present invention provides a routing scheme where connectivity plane messages are routed to a mobile terminal via a connectivity plane network node within the geographical vicinity of the mobile terminal. Network control plane messages are separately routed to the network control plane node associated with the mobile terminal. Positional information identifying the location of the mobile terminal is used to select the appropriate connectivity plane node for routing connectivity plane messages. Routing information is incorporated in a roaming number providing a preferred routing using the selected connectivity plane node. The roaming number is then transmitted to allow connectivity messages to be routed to the mobile terminal through a node

selected to minimize system resources while network control messages are sent to the network control plane node associated with the mobile terminal via a potentially different set of intermediate nodes.

Lin does not disclose using a roaming number passing on positional information of the mobile station and a determined network node to which the connectivity plane message is routed or sending the roaming number by the network node of a second type. Lin merely discloses establishing a bearer channel using a terminating CSIWF. Lin does not provide a routing number to provide a preferred routing through a determined network node.

In addition, the Examiner cites FIG. 5 of Lin as disclosing reaching a mobile terminal via two or more network nodes. The Applicant respectfully disagrees with the interpretation of the figure and the supporting specification. Lin does not show a terminal which can be reached via two nodes (see Applicant's figures 2-5, reference 26 and 36). Actually, Connection/Signaling Interworking Function (CSIWF) 505 and 515 are functionalities that are included in a VTS server. These two functions are alleged, as nodes, to both reach the roaming mobile. However, the roaming mobile is in service area 3 and CSIWF 505, the "originating CSWIF" is in service area 1 (see paragraph 0026), i.e., "... and determines which terminating CSIWF 515 to use from the TLDN." The CSIWF 505 cannot be used in service area 3 and is merely associated with service area 1 (see paragraph 0024). Lin states that the CSIWF provides an interface to a local STP for the purpose of receiving set-up messages from the TDM LEC switches. In addition, as depicted in FIG. 5 of Lin, there are no communication links between the CSIWF 505 and CSIWF 515. Therefore, the mobile station cannot be reached by both CSIWF 505 and 515 and there is no determining step for picking between two network nodes to which the connectivity messages may be routed.

Furthermore, the Examiner equates the CSIWF as network nodes. The Applicant respectfully disagrees. The CSIWF disclosed in Lin is merely a network interface for call setup functions. The CSIWF is not a control plane node but, instead, is used for interfacing and converting signaling between a packet-based transport network (paragraph 0024 of Lin).

Thus, Lin does not disclose all the limitations of claim 1. Therefore, Lin does not anticipate amended independent claim 1. Furthermore, independent claims 10 and 15 also contain limitations analogous to claim 1 and also are not anticipated by Lin. Claims 2-7, 9, and 16-18 depend from their respective independent claims 1, 10 and 15 recite further limitations in combination with the novel elements of the independent claims. Therefore, the allowance of claims 1-7, 9, 10 and 15-18 is respectfully requested.

Claim Rejections – 35 U.S.C. § 103 (a)

Claims 13, 14, and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lin in view of Bushnell (US Patent Publication 2004/0196966). In response, the Applicant has canceled claims 13, 14, and 21.

Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lin as applied to claim 1 above and further in view of Brudos et al (US Patent 6505050, hereinafter Brudos). The Applicant respectfully traverses the Examiner's rejections and submits the following remarks for the Examiner's favorable reconsideration. The Applicant has further amended independent claim 1 to more clearly and distinctly claim the subject matter which the Applicant considers as his invention.

Lin does not disclose all the elements as recited in claim 1. Brudos does not supply the limitations that are lacking in Lin. Neither Brodos nor Lin together teach or suggest the Applicant's invention as recited in claim 1. Claim 8 depends from claim 1 and recites further limitations in combination with the novel elements of claim 1. Therefore, the allowance of claim 8 is respectfully requested.

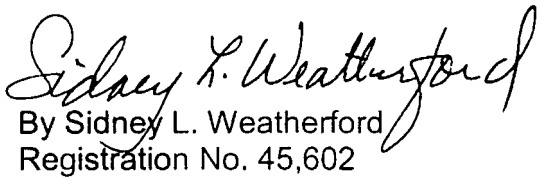
Claims 19 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lin as applied to claim 13 above and further in view of Smith (US Patent Publication 2002/0042277). In response, the Applicant has canceled claims 19 and 20.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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